IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl..No. 5831 of 2007()

CRIME NO.316/2007 OF SHORANUR POLICE STATION

PETITIONERS/ACCUSED NOS:-

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1. SIVADAS P.B., AGED 25 YEARS,
   S/O.BALAKRISHNAN, PARAPPALLIYALIL HOUSE,
   KANAYAM POST, SHORANUR - 2.

2. VINOD.C., AGED 22 YEARS,
   S/O.PANCHALI AMMA, CHAKKARAMARATH HOUSE,
   KANAYAM (POST), SHORANUR - 2.

3. PRADHEEP.A., AGED 22 YEARS, S/O.RAJAN,
   ADAVAKATTUTHODY VEEDU, VADANAMKURUSSI (POST),
   SHORANUR.

4. SASI.C., AGED 21 YEARS,
   S/O.THANKAMALU, CHAKKAMKULAMPARAMBIL HOUSE,
   KANAYAM POST, SHORANUR - 2.

5. K.ARUN KUMAR, AGED 21 YEARS,
   S/O.RAJAGOPALAN, KUNNUKUMARATH HOUSE,
   GOVT.PRESS POST, SHORANUR - 2.

6. RANJITH E., AGED 19 YEARS,
   S/O.GOPALAKRISHNA PANICKER,
   PALAYIL HOUSE, VALLIKKODE POST,
   PALAKKAD.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING SUB INSPECTOR OF POLICE,
SHORNUR POLICE STATION.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5831 of 2007

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Dated this the 26th day of September, 2007

ORDER

Application for anticipatory bail. The petitioners are accused 2 to 8 in a crime registered for offences punishable, inter alia, under Secs.326 and 308 read with 149 IPC. Subsequently in the course of investigation, allegation under Sec.326 IPC is not pressed.

2. Investigation is in progress. Accused 1 and 2 have come to this Court earlier seeking anticipatory bail and this Court by order dated 10th September,2007 in B.A.No.5285/2007 had granted anticipatory bail subject to conditions to accused 1 and 2 . Accused No.1 was named in the FIR also.

3. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied , in the facts and circumstances of the case, that anticipatory bail can be granted to the petitioners herein who are not named in the FIR, subject to identical conditions as were imposed on the co- accused.

4. In the result this petition is allowed. The following directions are issued under Sec.438 Cr.P.C

i) Petitioners shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 3.10.2007.

ii) They shall be released on regular bail on condition that

they execute bonds for Rs.25,000/-(Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on 4.10.2007, 5.10.2007 and 6.10.2007 and thereafter the petitioners shall so appear as and when directed by the investigating officer in writing to do so.

(iv) The petitioners shall not enter the jurisdiction of Shornur police station until further orders except for the purpose of complying with condition No.iii above.

(v) If the petitioners do not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioners and deal with them in accordance with law, as if these directions were not issued at all.

(vi) If they were arrested prior to 3.10.2007, they shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 3.10.2007.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE